

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

LEHMAN BROTHERS HOLDINGS INC., *et al.*,

Debtors.

Chapter 11

Case No. 08-13555 (JMP)

(Jointly Administered)

NOTICE OF APPEAL TO THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

U.S. Bank National Association, as Owner Trustee and/or Indenture Trustee (the “*Appellant*”) hereby appeals under 28 U.S.C. § 158(a) and Fed. R. Bankr. P. 8001 and 8002, from the Alternative Dispute Resolution Procedures Order for Affirmative Claims of the Debtors Under Derivatives Transactions with Special Purpose Vehicle Counterparties (the “*Order*”) of the Honorable James M. Peck, United States Bankruptcy Judge, entered in this proceeding on the 3rd day of March, 2011 [Docket No. 14789] (attached hereto as *Exhibit A*), granting the above referenced Debtors’ Motion Pursuant to Section 105(a) of the Bankruptcy Code and General Order M-390 for Authorization to Implement Alternative Dispute Resolution Procedures for Affirmative Claims of the Debtors Under Derivative Transactions with Special Purpose Counterparties (the “*Motion*”) [Docket No. 13009].

The names of all the parties to the Order appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

1. The Appellant is represented in this action by James E. Spiotto, Ann Acker, Franklin H. Top, III of the law firm of Chapman and Cutler LLP, 111 West Monroe Street, Chicago, Illinois 60603 telephone (312) 845-3000; facsimile (312)

701-2361, and Craig M. Price, Chapman and Cutler LLP, 330 Madison Avenue, 34th Floor, New York, New York 10017-5010, telephone (212) 655-6000.

2. The Debtors, the Movants with respect to the above-referenced Motion and the Respondents to this appeal, are represented by Ralph I. Miller, Richard W. Slack, Peter Gruenberger, and Scarlett Collings of the law firm Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York, 10153; telephone (212) 310-8000; facsimile (212) 310-8007.
3. Pursuant to Rule 8001(a)(1) of the Federal Rules of Bankruptcy Procedure, the other parties to the Order are: Dennis F. Dunne of the law firm of Milbank, Tweed, Hadley & McCloy LLP, One Chase Manhattan Plaza, New York, New York 10005, telephone: (212) 530-5000, counsel for the Official Committee of Unsecured Creditors of Lehman Brothers Holdings Inc., et al.; and the following parties, each of which filed an objection to the Motion: (i) Michael G. Burke, of the law firm of Sidley LLP, 787 Seventh Avenue, New York, NY 10019, telephone: (212) 839-5300, and Joel S. Feldman and Mark B. Blocker, Sidley LLP, One South Dearborn, Chicago, IL 60603, telephone: (312) 853-7000, counsel for Principal Global Investors (Europe) and Principal Global Investors, LLC; (ii) Andrew P. Brozman and Sara M. Tapinekis of the law firm of Clifford Chance US LLP, 31 West 52nd Street, New York, New York 10019, telephone: (212) 878-8000, Counsel to Crédit Agricole Corporate and Investment Bank; (iii) Tina N. Moss of the law firm of Pryor Cashman LLP, 7 Times Square, New York, NY 10036, telephone: 212-326-0421, counsel to HSBC Bank USA, National Association, in its representative capacity; (iv) Mark N. Berman of the law firm of Nixon Peabody LLP, 437 Madison Avenue, New York, NY 10022, telephone:

(212) 940-3000, counsel to Wellington Management Company, LLP; (v) Steven J. Fink and Thomas C. Mitchell of the law firm of Orrick, Herrington & Sutcliffe LLP, 51 West 52nd Street, New York, New York 10019, telephone: (212) 506-5000, counsel for Ballyrock ABS CDO 2007-1 Limited; (vi) Christopher M. Desiderio and David H. Lee of the law firm of Nixon Peabody, 437 Madison Avenue, New York, NY 10022, telephone: (212) 940-3000, and Amanda D. Darwin and Richard C. Pedone, Nixon Peabody LLP, 100 Summer Street, Boston, MA 02110, telephone: (617) 345-1000, counsel to Deutsche Bank Trust Company Americas and Deutsche Bank National Trust Company, each in their roles as Trustee, Indenture Trustee, Supplemental Interest Trust Trustee and in other related fiduciary capacities; and (vii) Mark D. Sherrill of the law firm of Sutherland Asbill & Brennan LLP, 1275 Pennsylvania Avenue, NW, Washington, DC 20004, telephone: (202) 383-0100, counsel for Aviva Italia Holding S.p.A., Aviva S.p.A., Aviva Vita S.p.A., Aviva Life S.p.A., Aviva Italia S.p.A., Aviva Assicurazioni S.p.A. and Aviva Previdenza S.p.A.

Dated: March 17, 2011
Chicago, Illinois

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